

## The experience of young people transitioning between youth offending services to probation services

### Abstract:

This article explores the experience of transitioning from youth offending services to adult probation services upon turning age 18 years whilst incarcerated. The significant differences in the level of provision has been described as a 'cliff-edge' (Transition to Adulthood Alliance, 2009). Drawing upon interviews with young people held in institutions, stakeholders and survey data from Her Majesty's Inspectorate of Prisons (HMIP), it is argued that the drop in support is exacerbated by poor communication between institutions and services which has harmful implications for young people during this crucial period of developmental maturity and beyond custody.

### Keywords:

Maturity, prisons, probation, transitions, youth justice

### Introduction

In England and Wales, turning age 18 years is the legal point in which young peoples<sup>1</sup> status moves from 'child' to 'adult' (Home Office, 1933). For children, there is a separate youth justice system (YJS) and youth custody service which operates as a distinct arm under Her Majesty's Prison and Probation Service (HMPPS) (Truss, 2017). Additional provisions and safeguards exist for this population which seeks to attend to their specific needs as a 'vulnerable'<sup>2</sup> group (Home Office, 1998). Upon turning age 18 years, the responsibility for supervision of those involved within the YJS transfers from local youth offending teams (YOTs) to probation services. Children held within the juvenile secure estate also transition from secure children's homes (SCHs), secure training centres (STCs) or young offenders' institutions (YOIs) into designated young adults YOIs or adult prisons<sup>3</sup>. The current policy context is provided below, followed by a literature review before the methodological approach of the mixed methods research is outlined. The empirical data demonstrates how these age-determined transitions within the criminal justice system (CJS) are arbitrary and probation services are not adequately

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<sup>1</sup> Throughout this article the term 'young people' is used to describe those experiencing these transitions. On occasion the term 'children' will be used for those aged under 18 years and 'young adult' for those aged over 18 years to draw the distinction.

<sup>2</sup> 'Vulnerability' is a contested term and there is not the scope within this article to debate this. This is not to undermine its complexity which has been discussed elsewhere (see Goldson, 2002).

<sup>3</sup> Establishments which hold young people aged 18 years and over will be referred to as young adult/adult institutions within the young adult/adult estate throughout this article.

structured nor equipped to adequately support young people also experiencing crucial neurological development. The detrimental implications of this transfer are discussed.

### Policy context

Local authorities have a statutory duty to have a YOTs including representatives from health, social work and education following *the crime and disorder act* 1998 (Home Office, 1998). This demonstrates the approach taken with children to provide services that both to address the risks they are deemed to pose and to attend to their specific needs (Home Office, 1998; YJB, 2019a). Their operation and focus on 'risk' has not been without criticism (Hopkins-Burke, 2016) and as subsequent youth justice agendas and objectives have been set, much divergence, restructuring and therefore local variation in service delivery has been found (see Haines and Case, 2018; Smith and Gray, 2019). Although rooted in social work, the modern national probation service, formed in 2001 by the *criminal justice and court services act* (Home Office, 2000a), is concerned with criminal justice, punishment of offenders and public protection (Raynor, 2007; Whitehead and Statham, 2006). Controversial probation 'reforms' under *transforming rehabilitation* which split the probation service into: the public national probation service (NPS) and privately operated community rehabilitation companies (CRCs) (Ministry of Justice (MoJ), 2013a) resulted in a number of serious issues and were heavily criticised (Burke, 2016; Criminal Justice Joint Inspectorates (CJJI), 2016; Her Majesty's Inspectorate of Probation, 2015, 2017; House of Commons Justice Committee, 2018a). There were concerns that the reforms failed to consider impacts on links and effective communication between services (Her Majesty's Inspectorate of Probation, 2016). It was announced in 2019 that the probation service would be renationalised (MoJ, NPS and HMPPS, 2018, 2019).

The first apparent guidance for the management of transitions between juvenile and young adult/adult penal institutions was released in 2008, subsequent guidance in 2012 (NOMS, 2012) followed a critical report of transitions arrangements (see CJJI, 2012). More recently, the YJB (2015, 2018) have issued the *joint national protocol for transitions in England*, which is more focused on the transfer from YOTs to probation services. The guidance maintains the importance of planning and information sharing between services (YJB, 2018). Although the transition is identified as a period of increased vulnerability (NOMS, 2012), it is acknowledged that there is inevitably a drop in supportive provision between institutions and services (NOMS, 2012; YJB, 2018). The *national standards for youth justice* (YJB, 2019a) reiterate that relevant agencies should minimise 'any potential negative impact that any transition may have' (YJB, 2019a: 17) however, there is little information in the guidance about post-transition support (YJB, 2018). The following section outlines a review of the literature regarding transitions.

## Literature review

### Children and young people

Children and young people involved in the YJS are overwhelmingly drawn from disadvantaged backgrounds (Brewster, 2019; Goldson, 2002; Hughes et al., 2020) and are acknowledged as being vulnerable by virtue of their age and circumstances (YJB, 2019a). The operation of the YJS is intended to recognise their complex needs and requirement for supportive relationships. Further to this, there is a growing body of evidence demonstrating how developmental maturity continues up to age 24 years (Edwards, 2009; Johnson et al., 2009; Prior et al., 2011; Sawyer et al., 2018). During these developmental transitions young people have more sensitive responses to emotional stimuli (Tanner and Arnett, 2009) and they are more likely to engage in reckless and aggressive behavioural traits. This is particularly the case if they have experienced neglect and abuse early on in life as many involved within the YJS have (Hart, 2017; Her Majesty's Chief Inspector of Prisons (HMCIIP), 2019a; Hughes et al., 2020). Frequent concerns have been raised about the suitability of institutions and services for this vulnerable group (CLINKS, 2017). Adverse experiences in childhood and experience within the YJS tends to 'stall' (Transition to Adulthood Alliance and the Howard League for Penal Reform 2015) the natural process of maturation (Bateman, 2017), as such involvement within the YJS is said to be particularly damaging and harmful during formative years (Gooch, 2016: 278).

### Differences between services

Different systems are used between child and adult services; reflective of differing expectations (HMIP and Her Majesty's Inspectorate of Probation, 2019). Whilst AssetPlus assessments of childrens' risk should be continually reviewed every six months (YJB, 2014, 2019b), OASys assessments of adults' risk are reviewed annually (HM Prison Service, 2005; NOMS, 2015a). Within the juvenile secure estate sentence planning (including planning for transition (NOMS, 2012; YJB, 2018)) should take place every three months (YJB, 2019c). The guidance within the young adult/adult estate is less prescriptive, stating that sentence planning should mainly be reviewed when any significant changes occur (NOMS, 2015b). Upon transition, therefore, young people are expected to forge new relationships based on lesser contact (HMIP and Her Majesty's Inspectorate of Probation, 2019).

These transitions present a period of heightened vulnerability in which young adults particularly require practical and emotional support (Harris, 2015; Hughes and Strong, 2016; NOMS, 2012). However, a number of statutory support services (such as mental health) have higher thresholds for adults or simply fall away (YJB, 2018; HMIP and Her Majesty's Inspectorate of Probation, 2019), producing often imperfect handovers (Saunders, 2014). The 'arbitrary removal' of individually focused

support (House of Commons Justice Committee, 2016: 37) is detrimental as young people ‘continue to present with profound needs [...] appropriate to their emotional and behavioural immaturity’ (CLINKS, 2017: 5).

Only those aged 18-20 years are statutorily, and it is argued narrowly (Nacro, 2000), defined as ‘young adults’ (Gov.UK, 2019; Ministry of Justice (MoJ), 2015a, 2017). This population is disproportionately represented within the CJS (Livingstone, Amad and Clarke, 2015) – particularly within probation services (Hughes and Strong, 2016) - and report poorer outcomes than adults within prisons (HMCIP, 2015). It has been argued that young adults are not ‘adequately developed to “deal” with adult systems’ (Brewster, 2019: 12) and provisions offered to children should be extended (Bateman, 2015; Roberts, Buckland, and Redgrave, 2019). Whilst the Government have stated that they are ‘committed to recognising maturity’ they have rejected calls for a specific strategy for young adults up to age 24 years (MoJ, 2017: 10). There are concerns that this cohort are increasingly merging with the adult population, particularly as previously ‘distinct’ young adult YOIs have begun to hold prisoners of all ages (HMCIP, 2015; Spurr cited in House of Commons Justice Committee, 2017).

YOTs may retain the case supervision of a young person due to their risk and vulnerability factors but only until they are aged 18 years and 11 months (YJB, 2018). Evidence from other juvenile justice systems demonstrate a more flexible approach to allow retention of a youth order beyond age 18 years (Hazel, 2008). Forms of deprivation of liberty akin to juvenile facilities, as was intended with distinct young adults YOIs in the UK (Home Office, 2000b), typically stretches to age 21 years in Europe, although provision is made available up to age 24 years in Germany, Hungary and Netherlands, and age 27 years in Austria. The extension of juvenile justice systems is not frequently applied in practice with Germany being a key concession. The practice has been welcomed by international bodies (see Dünkel, 2015) and celebrated for acknowledging the crucial and sensitive period of young adulthood and promoting positive outcomes (Pruin and Dünkel, 2015).

### Transitions between services

Independent inspections offer some insight into transitions arrangements, an initial inspection within custody and the community found rushed rather than coordinated processes with poor information sharing impacting predominately on consistency of care (CJJI, 2012). A follow up inspection by Her Majesty’s Inspectorate of Probation (2016) of community transitions reported little progress and inconsistent practice with a lack of oversight. Transitions appear to be better managed in line with the guidance (YJB, 2018) within the community (Her Majesty’s Inspectorate of Probation, 2018a, 2018b, 2019a, 2019b, 2019c) due to seconded probation officers and local initiatives supporting young people (Her Majesty’s Inspectorate of Probation, 2019d, 2019e). Despite this, evidence of bad practice due

to a lack of probation staff knowledge and training remains evident (HMIP and Her Majesty's Inspectorate of Probation, 2019; Her Majesty's Inspectorate of Probation, 2019f, 2019g).

The transition between institutions is said to be particularly abrupt (Royal College of Psychiatrists, cited in the House of Commons Justice Committee, 2013). HMCIP (2018a, 2018b, 2018c, 2019a, 2019b, 2019c) have found some good practice based on involving young people and relationship building between institutions. However, there have been varying levels of institutional engagement (HMCIP, 2018d, 2019d, 2019e; 2019f; 2019g) and instances of no planned transitions arrangements in place including the transfer of supervision from YOT to probation (HMCIP, 2019h) impacting upon consistency of care. Receiving institutions have also been found to have no specific support for young people transitioning (HMCIP, 2018e, 2018f). Whilst evidence from inspection reports offer some insight into transition (see also National Preventative Mechanism, 2018) there is a lack of academic research in this area. In the following section the methodological approach taken for this research is outlined.

## Methods

This article draws on original research which sought to understand how young people comprehended, prepared for, negotiated and experienced transitions between juvenile YOIs and the young adult/adult estate. The findings contained within this paper draw on interviews with young people and stakeholders and data from HMIP prison survey inspections. Access to institutions was granted following a successful research application to the NOMS National Research Committee (NRC) in November 2016 (2016-353) and Governor approval. Ethical approval was received from the University of Liverpool in February 2017. The data collection period was between April 2017 and March 2018.

As part of their statutory obligations, HMIP (2014) inspect STCs and YOIs annually with all those held invited to complete a survey. Young adult/adult institutions are inspected less frequently (at least every five years (HMIP, 2014)) and a stratified random sample are surveyed. HMIP granted access to all available survey data from August 2014-July 2017<sup>4</sup>. Whilst the HMIP data does not directly report on transitions, it captures the self-reported experiences of a broader cohort across a longer timeframe than contained within interview data.

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<sup>4</sup> This included seven STCs, 14 YOIs, nine young adult YOIs, 13 female adult and 94 adult prison inspections, and qualitative data free text survey comments made by those aged under 21 years from; three STCs, seven YOIs, three young adult YOIs, five women's and 35 adult prison inspection from January 2016-August 2017 as this was the only qualitative data they held at the time.

The data from HMIP is supplemented with data drawn from semi-structured interviews (n=49). Fourteen young people held in two YOIs<sup>5</sup> were interviewed pre-transition and a post-transition interview was held with the same cohort across four young adult/adult prisons (n=27)<sup>6</sup>. The data within this paper is drawn from their post-interviews. Those suitable for interview (scheduled to transition) were identified by nominated gatekeepers working within the YOIs. The sample represents 4% of the population of young people scheduled to transition (HMPPS Briefing and Correspondence, 2019)<sup>7</sup>. It is felt that this figure demonstrates an adequate representation of in-depth views given the practical constraints of the research (Bryman, 2016). Semi-structured interviews were also held with key stakeholders (n=22) who were involved with, or who had a professional interest in, the research area. The sampling of 'insider' key stakeholders (personnel working within institutions henceforth, 'staff members') (n=12) was opportunistic and key stakeholders working outside of institutions ('outsider' key stakeholders such as lawyers, academics, civil servants) (n=10) were selected in a strategic way using a purposive sample (Bryman, 2016).

At the point of the pre-interviews the young people were aged under 18 years, although principles of ethical governance differ for research with children and adults, the view was taken that young people at each stage of the research could be considered vulnerable (Girling, 2017). Every effort was made to ensure that the 'rights, privacy and dignity' of all participants was preserved and consistent ethical sensitivity was applied throughout (HMIP, 2015: 4). Informed consent was obtained from all participants and formed an ongoing process (Neale, 2013). Whilst this was practically difficult with young people who were approached by gatekeepers within their institution, which may have made them feel compelled to participate, further verbal consent was obtained by the researcher upon meeting with the young people to demonstrate to them that they had ownership over their involvement with the research (Health et al 2009). The confidentiality and anonymity of all participants was maintained throughout. The young people were given pseudonyms which are culturally similar to their real names and the key stakeholders are referred to throughout the paper by their employment. Whilst much of the data presented relates to the perspectives of the stakeholders, it is, as Ellis (2018) outlines, not the case that their perspectives were given more weight,

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<sup>5</sup> A contact recommended that two of the five YOIs might be interested in the research, they were approached and agreed. The young adult/adult institutions were determined by the destination of the young people within the sample. Of them, two were of five designated young adults YOIs (HMCIP, 2015). YOIs for females were decommissioned for females in 2013 (MoJ, 2015b), due to practical issues accessing SCHs and STCs no females were interviewed.

<sup>6</sup> A follow-up interview could not be completed with one young person as he had been released before the interview could be arranged.

<sup>7</sup> In 2017/18 336 males were scheduled to transition from five YOIs.

their quotes adequately summarised the views and experiences expressed by young people interviewed also.

The interviews were audio recorded with participant content and transcribed. The transcripts were added to NVivo 10 and rigorously analysed through identifying nodes which were checked and reflected on throughout the fieldwork and triangulated with other data including that from HMIP, this process added to the data's validity (Guba, 1981).

## Findings

### Differences between services

The operation of YOTs and probation differ, based on the perceived needs of those supervised by each service. Key stakeholders were particularly concerned that the drop in frequency of which probation staff are obliged to meet with young people compared to YOTs demonstrated a 'drop in the level of care' which 'increased vulnerability' (Staff member one, YOI):

Inspector two: '[YOT workers] are there on a weekly basis, or a monthly basis [...] and suddenly they vanish and then a person who doesn't come and see them for a year [...] and when they get a proforma letter saying; "dear so and so, I am your probation worker", and "insert name here" and that's no care, that's no thoughtfulness demonstrated, and the young person reads that and is then like; "oh, I'm on my own then"'

Staff member two, YOI: 'you see some people who've not seen their probation officer for three years after transition. Here it's a month requisite, you've got to be seen by your YOT once a month'

The differences between services highlight how needs and vulnerability are constructed for children and adults (Goldson, 2013). The young people were conscious that probation staff adhered to the 'minimum' expectations of annual meetings via videolink (Kendrick) and keenly felt this loss of this relationship:

Casper: 'Yeah, my YOT worker would always come to [YOI], but that's when, you know when you're younger they have more care of you, they kinda have to, but because you're older, because I'm older now, they don't really have to come see me...

Edward: Nah, probation won't come see me

R: Why?

Edward: They're saying it's too far [laughs]

[...] R: Have you had any letters from them? Anything like that?

Edward: Nah. Nah. Shocking truth be, shocking, they just leave you, don't they?

The reduced obligations of probation services compared to YOTs demonstrates how young people are expected to require less support from age 18 years, despite evidence to the contrary. Young adults undergoing crucial developmental maturity are distinctly vulnerable (House of Commons Justice Committee, 2016; Livingstone, Amad and Clarke, 2015) particularly during such 'stressful' transitions (Harris, 2015). An Inspector disputed whether probation services are equipped to meet the needs of young adults:

Inspector two: 'the probation services are set up to deal with both an 18 year old, a 40 year old and a 60 year old, and one would hope that, they would take account of maturity, but I did not see evidence of that in the documentation or treatment that we observed during the inspections.'

Young adults require a tailored approach which is not fulfilled by probation services (Hughes and Strong, 2016). The lack of specific support particularly following the loss of relationships upon transitions exacerbates vulnerability. The following section further outlines how the management of transitions can be harmful to young people.

#### Transitions between services

In anticipation for transitions, YOTs are expected to share all relevant information they have about young people to the probation service (NOMS, 2012; YJB, 2018). Despite the introduction of a 'youth to adult' portal to improve communication (Her Majesty's Inspectorate of Probation, 2016), stakeholders reported that probation staff were often not assigned to young people and information sharing was problematic:

Civil servant one: 'transfer from a YOI to the young adult estate, but at that point you have transition between YOTs and probation as well, so you have two potentials for information to kind of drop off and gaps to be created'



Civil servant two: 'I think sometimes YOTs and probation share the information but don't necessarily discuss much themselves [...] and there's little understanding, that I think that's more about the capacity that they have and again lack of funding and everything else [...] their workload is pretty huge'

Staff member seven, young adult/adult institution: 'I've got two at the moment, that I keep trying to find out who their new probation officers are, they still haven't transitioned, one was 18 in July I think, and he still hasn't got a probation officer' [four months]

Issues within this handover process including identifying and contacting probation officers was in part attributed to issues with staffing issues within the probation service. Information sharing is crucial and poorly managed has been found to have devastating consequences (Newcomen, 2017). The issues highlighted by interviewees demonstrates previous concerns about the 'frequently abrupt and inadequately planned' (The Royal College of Psychiatrists cited in House of Commons Justice Committee, 2013: 61) nature of transitions and minimal continuity of care, in direct contradiction to the 'smooth' process (NOMS, 2012; YJB, 2018) as intended by the official guidance.

HMIP and Her Majesty's Inspectorate of Probation (2019) have deemed some examples of cases transferred to adult services as 'unnecessary' and 'detrimental'. Whilst YOTs may retain supervision of a young person up to age 18 years and 11 months (YJB, 2018) some stakeholders within the young adult/adult estate considered the transition necessary for risk assessment and sentence planning:

Staff member eight, young adult/adult institution: 'because so often, not so often now, certainly in the past, it was the case that YOTs would like to hang onto the case, "oh he's my little boy and I want to" you know "keep him for a little", no you can't keep him for a little while, he's got to go to probation now, we have OASys on our electronic system, not ASSET we need OASys doing, probation need to do that, we've got to get this done for risk management, and for the sentence planning purposes'

Staff member eight, young adult/adult institution: 'I've got one that we're seeing next week, having difficulties, because he can't be assessed for programmes, sex offender programmes, because, although we've got the Asset[Plus] which is great, they need the OAsys, and he's high risk, and that is the home probation officer that does that, so until we've got that, stuck.'

The implications of retaining a juvenile order are based on individual need (YJB, 2018) yet the age-determined nature of assessments means that doing so prevents young people progressing through their sentence. Thus, the individual needs are overlooked in favour of operational processes. The evidence reinforces calls from the Independent Monitoring Board (2017) for greater clarity between YOT and probation, and HMIP and Her Majesty's Inspectorate of Probation (2019) contention that services should work to the best interests of the child, rather than their arbitrary age-determined boundaries.

The disjointed nature of communication between services has been affected by the implementation of *transforming rehabilitation* due to different operating systems within NPS and CRCs (HMIP and Her Majesty's Inspectorate of Probation, 2019) as explained by an Inspector:

Inspector two: 'It made it much harder to do it well, because you immediately had some places being sent to NPS, some people being sent to CRCs, the CRCs were working differently and they continued to diverge, they're not in the same buildings anymore, so there is that discrepancy of divergence if you like, between organisation A and organisation B and so the YOT in the middle is going "erm"'

Poor communication between services, along with the division of probation services (Her Majesty's Inspectorate of Probation, 2015, 2017; Burke, 2016; CJI, 2016; House of Commons Justice Committee, 2018a) exacerbates the rupture in support. There is a clear gap between policy aims and practice and inconsistencies between institutions and services largely due to poor communication and insufficient resources. This is to the detriment of young people and their future transitions.

### Future transitions

Limited relationships with probation workers have been found to be an issue across the young adult/adult estate. Quantitative data from HMIP revealed that around half (47.8%) of those in young adults YOIs and adult male prisons (50.8%) had no contact with their named offender manager in the probation service with less than a third actually receiving a visit (33.1% young adult YOI, 31% adult male prisons). For those within this research who had undergone transitions, the absence of these relationships affected prospects through their sentence and towards release:

Kendrick: 'my probation still haven't taken over so I haven't got my sentence plan so I can't do my programmes, it's not looking good for when I try and get my D cat[egory] next year it's not going to look good because I haven't, I ain't done none of the programmes needed.'

HMIP Survey free text comment young adult/adult institution 2016: 'The communication between OMU [offender management unit] workers, probation and prisoners is horrendous. I have been in this jail for almost 2 years, it took a year to create my sentence plan and a year later I still haven't been told what I need to do to complete it.'

The fragmented approach is indicative of the 'cliff-edge' of support upon transition (Transition to Adulthood Alliance, 2009) which neglects to address ongoing needs. Relationships are important to young peoples' engagement with the service (Livingstone, Amad and Clarke, 2015) and therefore future transitions:

Staff member eight, young adult/adult institution: 'they don't even know who the person is until they're about to get out and they're meant to build a relationship with them and if they then, go to a release jail, don't actually meet them until they get out on licence [laughs] how's that going to be for having a successful licence experience? All sorts of problems there potentially.'

The current approach, reflective of differing expectations of 'children' and 'adults' between services, poorly prepares young people for release and demonstrates to them that they must navigate transitions alone. This fundamentally undermines previous support they have received (Her Majesty's Inspectorate of Probation, 2019g) and demonstrates how the harmful implications of transitions between institutions are numerous and ongoing, as discussed in the following section.

## Discussion

The findings demonstrate how the impact of the differing provision between institutions and services is exacerbated by poor communication and staffing concerns. As Brewster (2019: 1) has highlighted 'understandings of transition are usually used in a very narrow sense to refer to the direct *transfer of responsibility* from children's or youth organisations to adult agencies' which overlooks broader issues. The data analysed here shows how the guidance (NOMS, 2012; YJB, 2018) neglects the needs of young people beyond age 18 years which means many 'fall through the gaps' between services (Brewster, 2019). The dearth of contact, loss of important relationships and arbitrary removal of supportive services upon transition is to their detriment. As discussed within this paper, this has particular implications for crucial resettlement (see also HMIP and Her Majesty's Inspectorate of Probation, 2019). These issues manifest themselves in numerous ways: increasing vulnerability and reoffending (Hughes and Strong, 2016). This article has demonstrated how transitions are a damning reflection of the harms young people are exposed to within the CJS.

Although there remains a ‘statutory distinction’ between ‘young adult’ offenders (aged 18-20 years) and ‘adult’ offenders (aged 21 years and older) (MoJ, 2013b) there appears to be little difference in their treatment (House of Commons Justice Committee, 2016). Whilst the literature about the distinct needs of young adults requiring a tailored approach of practical and emotional support (Harris, 2015; House of Commons Justice Committee, 2016, 2018b; Hughes and Strong, 2016) has begun to gain traction, and been acknowledged by the Government (MoJ, 2013b, 2015a, 2017), it has failed to be realised in practice (Johnson et al., 2009). Probation services tailored for adults are ill-equipped to adequately support this cohort. Arbitrary age-determined constructions of vulnerability and need based on ‘child’ or ‘adult’ status continue to dictate what provision is made available (Goldson, 2013, 2019; Dünkel, 2015). Therefore, transitions rupture support previously received.

This article advocates Bateman’s (2015: 5) view that ‘the vulnerability evident in the child custodial population extends to young adults’. Despite criticisms, the multi-agency approach of YOTs is more effective and financially viable, particularly to reduce the longer-term costs of reoffending (Roberts, Buckland, and Redgrave, 2019) and there have been calls to extend it beyond age 18 years (House of Commons Justice Committee, 2018b; The Children’s Society, 2019). However, the Government, are resistant to this (MoJ, 2017): Dr Phillip Lee, then the Parliamentary Under-Secretary of State at the MoJ (House of Commons Justice Committee, 2017: 6-7), has argued that arbitrary age-determined practices are suitable given the societal context of adulthood being set at age 18 years (despite evidence which disputes this (see Goldson, 2019)). The evidence within this article demonstrates that services for ‘children’ and ‘adults’ arbitrarily construct notions of needs and vulnerability which is unsuitable.

This research maintains that developing key principles for practice regardless of age is urgently required (Daniel, 2010; Pruin and Dünkel, 2015). More generally, a more fluid and inclusive understanding of the needs of young people (Dünkel, 2015) would be more appropriate than the arbitrary split between institutions and services (Harris, 2015; HMIP and Her Majesty’s Inspectorate of Probation, 2019). Post-transition provision is important to address some of the issues highlighted here. Furthermore, provision for young adults should be developmentally appropriate and staff require adequate training to work with this vulnerable population (HMIP and Her Majesty’s Inspectorate of Probation, 2019).

Probation reforms under *transforming rehabilitation* undoubtedly disrupted the processes of transferring case supervision between YOTs to probation services. As the probation service becomes renationalised (MoJ, NPS and HMPPS, 2018, 2019), it is important that sufficient oversight is given to young people making transitions between services to ensure that it is conducted in such a way to to

offer a long-term focus on individual support and well-being (Goodfellow and Liddle, 2017) to promote better outcomes for young adults.

#### Declaration of interests:

The author has previously been employed as a research associate and contributed to inspection work carried out by Her Majesty's Inspectorate of Prisons.

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